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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 OUTERBRIDGE ACCESS  
12 ASSOCIATION, SUING ON BEHALF OF  
13 DIANE CROSS; and DIANE CROSS, an  
individual,

14 Plaintiffs,

15 vs.

16 HOME DEPOT U.S.A., INC. dba THE  
17 HOME DEPOT # 6679; MIRA MESA  
MARKETPLACE WEST, LLC; and DOES  
1 through 10, inclusive,

18 Defendants.  
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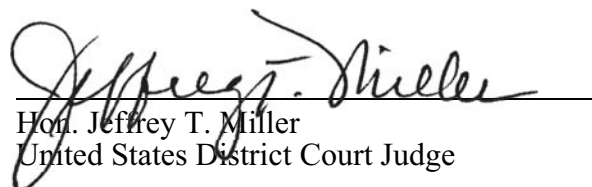
CASE NO. 08CV 0046 JM JMA

**ORDER GRANTING MOTION TO  
DISMISS MIRA MESA MARKETPLACE  
WEST, LLC'S CROSS-COMPLAINT**

20 Upon the Stipulation of the parties pursuant to Rule 41 of the Federal Rules of Civil  
21 Procedure, the Court hereby dismisses this action WITHOUT PREJUDICE. Each side to bear its  
22 own costs and fees.

23 IT IS SO ORDERED.

24 Dated: September 19, 2008

25   
Hon. Jeffrey T. Miller  
United States District Court Judge